

REMARKS

The claims remaining in the present application are Claims 1-8 and 18-22. The Examiner is thanked for performing a thorough search. Claims 1 and 18 have been amended. No new matter has been added.

CLAIM OBJECTIONS

35 U.S.C. §112

Claims 1-8 and 18-22

In paragraph 3, the Office Action rejects Claims 1-8 and 18-22 under 35 U.S.C. 112, first paragraph for failing to comply with the enablement requirement. As pointed out in the first paragraph of the remarks section of the reply to the Office Action dated October 6, 2006, support for the amendments to the independent Claims 1 and 18 can be found among other places in the instant application serial no. 10/032,105 page 13 line 20 to page 14 line 15, which states,

Figure 3 is a block diagram of one embodiment of an application model functional component organization. Each box represents an application functional component (e.g., a type of server), while each line between a pair of application functional components indicates traffic is permitted to flow between the two connected application functional components. In one exemplary implementation, different application functional components (e.g., servers) have different functionalities. For example, S1 can be a web server, or S6 can be a file server.

Further the instant application states on page 15 line 2, "...S1 does not communicate directly with S5." Note that there is no line between S1 and S5 in the application model depicted on Figure 3.

CLAIM REJECTIONS

35 U.S.C. §102

Claims 1-8 and 18-22

In paragraph 5 of the Office Action, Claims 1-8 and 18-22 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Publication No. 20030028642 by Agarwal et al. (referred to hereinafter as "Agarwal") in view of U.S. Patent No. 6,230,200 by Forecast et al. (referred to hereinafter as "Forecast"). Applicants respectfully submit that embodiments of the present invention are neither taught nor suggested by Agarwal or Forecast, alone or in combination.

Independent Claims 1 and 18 have been amended. Support for the amendments to independent Claims 1 and 18 can be found on pages 21-22 of the instant application serial no. 10/032,105.

Currently amended independent Claim 1 recites,

A resource assignment method comprising:

establishing a resource model:

acquiring an application model, wherein said application model describes a plurality of application functional components and includes information about which application functional components communicate with each other; and

utilizing a generic mapping process to map said application model onto said resource model, wherein said generic mapping process is directed to increasing the optimization of resource utilization through appropriate assignment of resources to an application with respect to desired objectives and wherein said generic mapping process is enabled to map a first application model onto a first resource model and a second application model onto a second resource model.

Applicants respectfully submit that Agarwal does not teach or suggest “acquiring an application model, wherein said application model describes a plurality of application functional components and includes information about which application functional components communicate with each other; and utilizing a generic mapping process to map said application model onto said resource model, wherein said mapping process is directed to increasing the optimization of resource utilization through appropriate assignment of resources to an application with respect to desired objectives and wherein said generic mapping process is enabled to map a first application model onto a first resource model and a second application model onto a second resource model,” as recited by Claim 1.

The Office Action states, “Agarwal was silent about an application model that ‘describes a plurality of application functional components and includes information about which application functional components communicate with each other.’”

Applicants respectfully agree. Since Agarwal fails to teach “said application model describes a plurality of application functional components and includes information about which application functional components communicate with each other”

Agarwal cannot teach “utilizing a generic mapping process to map said application model onto said resource model, wherein said mapping process is directed to increasing the optimization of resource utilization through appropriate assignment of resources to an application with respect to desired objectives and wherein said

generic mapping process is enabled to map a first application model onto a first resource model and a second application model onto a second resource model."

Forecast does not remedy the deficiency in Agarwal in that neither Forecast nor Agarwal teach or suggest, "acquiring an application model, wherein said application model describes a plurality of application functional components and includes information about which application functional components communicate with each other; and utilizing a generic mapping process to map said application model onto said resource model, wherein said mapping process is directed to increasing the optimization of resource utilization through appropriate assignment of resources to an application with respect to desired objectives and wherein said generic mapping process is enabled to map a first application model onto a first resource model and a second application model onto a second resource model," as recited by Claim 1.

The Office Action asserts that Forecast teaches "said application model describes a plurality of application functional components and includes information about which application functional components communicate with each other." However referring to Col. 1 lines 53-57 and Col. 2 line 17-29, Forecast uses the term "component" in the sense of a "resource" rather than in the sense of an application. Similarly, the "component model" described in Col. 59 and Figure 44 of Forecast are resources such as "network interface," "stream server," "disk array" and so on.

Forecast teaches away from "utilizing a generic mapping process to map said application model onto said resource model, wherein said generic mapping process is directed to increasing the optimization of resource utilization through appropriate assignment of resources to an application with respect to desired objectives and wherein said generic mapping process is enabled to map a first application model onto a first resource model and a second application model onto a second resource model," as recited by Claim 1. For example, Forecast multiple mapping process, as described in each of the sections II-X, used for different aspects of a file server.

In the Response to Arguments section the Office Action states "This additional positive limitation pointed out by the inventive entity, does not 'teach away' the claimed invention..." This is a misquotation of the last reply. The last

reply states, "Agarwal teaches a way of managing..." The phrases "teaches away" and "teaches a way" have entirely different meanings.

On page 12 lines 18-19, the Office Action states, "...the inventive entity recites notoriously road language..." Applicants respectfully request that the next Office Action provide references that teach or suggest all of the features of the embodiments recited by the claims.

Therefore independent Claim 1 should be patentable. Independent 18 should be patentable for similar reasons that independent Claim 1 should be patentable. Claims 2-8 depend on Claim 1. Claims 19-22 depend on Claim 18. These dependent claims include all of the limitations of their respective independent claims. Further, these dependent claims include additional limitations which further make them patentable. Therefore, these dependent claims should be patentable for at least the reasons that their respective independent claims should be patentable.


CONCLUSION

In light of the above listed amendments and remarks, reconsideration of the rejected claims is requested. Based on the arguments and amendments presented above, it is respectfully submitted that Claims 1-8 and 18-22 overcome the rejections of record. For reasons discussed herein, Applicant respectfully requests that Claims 1-8 and 18-22 be considered by the Examiner. Therefore, allowance of Claims 1-8 and 18-22 is respectfully solicited.

Should the Examiner have a question regarding the instant amendment and response, the Applicant invites the Examiner to contact the Applicant's undersigned representative at the below listed telephone number.

Respectfully submitted,
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